IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE THIRTIETH DAY OF DECEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION No. 27958 of 2005

Between:

K.Srinivasa Chary

..... PETITIONER

AND

The Station House Officer,

Market Police Station,

Secunderabad and 3 others

.....RESPONDENTS

ORDER:

Seeking a Mandamus, declaring the action of the respondents in not investigating the Crime No.2/2005 dated 09.01.2005 of P.S.Market, as illegal and arbitrary, the present writ petition is filed.

Heard the learned counsel for the petitioner and the learned Government Pleader for Home.

The petitioner submits that he is the Managing Director of Tulasi Vishwa Karma Home Private Limited and the said project was taken for construction of houses in and around the Hyderabad. While so, on 09.01.2005 the Asst.Sub-Inspector of Police, Market Police Station, Secunderabad, at Bata X- roads, on suspicious circumstances found one Mohd.Omer Quadri @ Saleem, S/o.Mohd.Osman Quadri in possession of one country made revolver loaded with six live rounds and one dagger (Jambia), who is resident of H.No.16-9-401/9, Old Malakpet, Housing Board Colony, and the said person was apprehended and a case was registered in Cr.No.2/2005 for the offence under Section 25-Arms Act. It is stated that the said person was a hired gunda and on interrogation it is revealed that he entered into an agreement with one Narasingarao to kill the petitioner in respect of land disputes. After coming to know about the said arrest of hired gunda person, the petitioner made a representation before the Commissioner of Police, Cyberabad on 13.05.2005, on which an endorsement No.594/CCC-CP/Cyb./05, dated 16.05.2005 was made, requesting the Inspector of Police, Pahadisherref to take follow up action immediately. Thereafter, the petitioner filed representations before the Addl.Commissioner of Police, Basheerbagh, Hyderabad as well as the Deputy Commissioner of Police, North Zone, Secunderabad and on the representation dated 03.08.2005 made before the Commissioner of Police, Basheerbagh, Hyderabad, an endorsement was made, requesting the Asst.Commissioner of Police, Mahankali for urgent enquiry and report. It is stated that in spite of the said instructions by the superior officers of police, the 1st respondent has not taken any action.

Having regard to the facts and circumstances of the case, the petitioner is directed to file a fresh representation before the 1st respondent and produce all the relevant copies along with the said representation, and on filing such representation, the 1st respondent may take appropriate action thereon, in accordance with law.

With the above observations, the Writ Petition is disposed of. No order as to costs.

_____

V.ESWARAIAH,J

Dated: 30.12.2005

Dsr